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August 21, 2008

The Honorable Joseph J. Farnan, Jr.
 United States District Court of Delaware
 844 North King Street
 Wilmington, DE 19801

Re: Levey, et al. v. Boat America Company, et al. - Case No.
1:06-cv-510 JFF

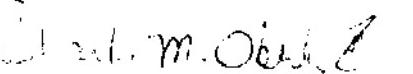
Dear Judge Farnan:

Counsel for all parties participated in a teleconference with Magistrate Thynge on August 14, 2008, in an effort to schedule a mediation in the above-captioned matter. The date convenient for all parties and Magistrate Thynge is October 1, 2008, the same date previously set by the Court for a Pre-Trial Conference.

In order for the Mediation to take place, all parties request a 60-day extension of the Court's Pre-Trial Conference date, along with an adjourned date for the submission of dispositive motions from September 8, 2008 to November 7, 2008.

I have been authorized by all counsel to make this request. A proposed Order reciting these changes has been attached for your consideration.

Respectfully submitted,



Charles M. Oberly, III (#743)

CMO,III/mdm
 Attachment

cc: William J. Cattie, Esquire
 Michael B. McCauley, Esquire
 Eric C. Howard, Esquire
 James W. Bartlett, III, Esquire
 Stephen K. Cart, Esquire

WIL:125878.1/LEV:375-831019

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Howard Levey, John and Susan L. Walter,)
h/w, and Allstate Insurance Company,)
)
)
)
Plaintiffs,)
)
)
v.)
)
)
Delaware Bay Launch Service, Inc.,)
)
)
)
Defendant,)
and) C.A.1:06-cv-510 JJF
Boat America Corporation,)
)
)
Defendant/Third-Party Plaintiff,)
)
)
v.)
)
)
Southern Delaware Towing & Salvage, Inc.,)
)
)
Third-Party Defendant.)

ORDER

The Court, having entered the parties' Amended Rule 16 Scheduling Order in the above-captioned matter,

IT IS HEREBY ORDERED that:

- 1) Any case dispositive motions shall be served and filed with an opening brief on or before November 7, 2008;
- 2) A Pre-Trial Conference will be held on December ___, 2008, at _____ in Courtroom No. 4B on the 4th Floor of the Caleb Boggs Federal Building, Wilmington, Delaware. The Federal Rules of Civil Procedure and Rule 16.3 of the Local Rules of Civil

Practice for the United States District Court for the District of Delaware (amended effective June 30, 2007) shall govern the Pre-Trial Conference;

3) Trial will be scheduled at the Pre-trial Conference to commence within 120 days of the Pre-trial Conference. Counsel should be available during the 120-day period for trial.

August ___, 2008

The Honorable Joseph J. Farnan, Jr.
United States District Court of Delaware